



ILLEGAL TAMPERING

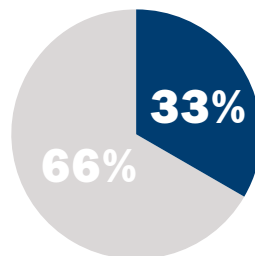
Illegal tampering is the likely outcome of so-called right to repair legislation. The bottom line is that even today, illegal tampering is undermining advances in safety and emissions for equipment users across sectors. In April of 2019, the Equipment Dealers Association surveyed its members and the statistics surrounding illegal tampering are staggering.

Modifications to Safety and Emissions Features in Off-Road Equipment

770 Equipment Dealers responded to the April 2019 survey. This is a significant sample generated across a broad range of original equipment manufacturers (OEMs).

Of the responding dealers, **33%** had modified equipment come into their dealership for service in the past 24 months. Modified equipment is defined as equipment which has been altered from

manufacturer settings. Examples of modifications include engine tuning or chipping, changes to hydraulic systems or safety mechanisms.



Dealers Who Reported They Observed Modified Equipment In The Dealership For Service

- Modified Equipment Serviced
- Non-Modified Equipment Serviced

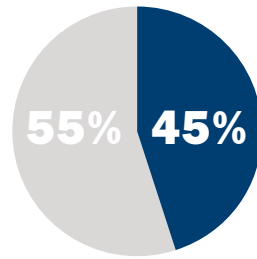
While each responding dealers' percentage varied, some participating dealers reported that up to **50%** of the equipment brought into their dealership(s) for service had been modified or altered from manufacturer settings.

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Of the responding dealers (257) who **did** have modified equipment come into their dealership for service in the past 24 months, **45%**

reported that the modifications included those which removed, impaired or disabled Federally-required emissions control equipment, such as the installation of engine tuning or chipping devices and other modifications that increase injection pump fuel delivery or disable Exhaust Gas Recirculation or Diesel Particulate Filters. EPA regulations state that if a dealer performs service on a tampered emission control system and does not return the system to its certified emissions configuration, the dealer may be liable for violating the Clean Air Act.

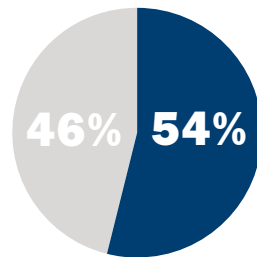


Modifications that Removed, Impaired or Disabled Emissions Control Equipment

- Emissions Tampering
- Tampering Not Related to Emissions

Of the responding dealers (257) who **did** have modified equipment come into their dealership for service in the past 24 months, **54%**

reported that the modifications included those which removed, impaired or disabled OEM safety features.



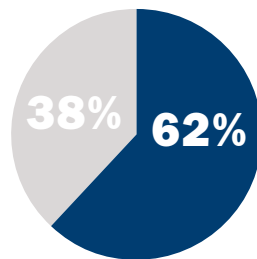
Modifications Removed, Impaired or Disabled OEM Safety Features

- Safety Features Removed, Impaired or Disabled
- Modification Unrelated to OEM Safety Features

Of the responding dealers (257) who **did** have modified equipment come into their dealership for service in the past 24 months, **62%**

reported that the modifications could reduce reliability, durability or resale value of the equipment.

One such example would be a modification making the engine run at higher horsepower than specified, thereby increasing wear on components and reducing durability, reliability and resale value for subsequent owners.



Modifications Would Reduce Reliability, Durability or Resale Value of the Equipment

- Modifications would reduce reliability, durability or resale value of the equipment
- Modifications would not reduce reliability, durability or resale value of the equipment

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